

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

STEPHON D. REED
ADC #137066

PLAINTIFF

v.

No. 3:21-cv-40-DPM

STEVEN ANDERSON
Corporal, Grimes Unit, ADC

DEFENDANT

ORDER

Unopposed recommendation, *Doc. 4*, adopted. FED. R. CIV. P. 72(b) (1983 addition to advisory committee notes). Corporal Anderson's referring to Reed as his "colored friend" is racially insensitive but not a constitutional violation. Reed's complaint, *Doc. 2*, will be dismissed without prejudice for failure to state a claim. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g). An *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge


